

July 19, 2019

DISSEMINATION BY THE LIVINGSTON GROUP, LLC

FARA registration #6344

(FOLLOWING A MEETING AT THE STATE DEPARTMENT THAT HAD BEEN ARRANGED AND ATTENDED BY THE LIVINGSTON GROUP [TLG], THE OWNER OF TLG'S CLIENT – ZAKLAD METALURGICNY, THROUGH SEKCO OPERATING COMPANY – INITIATED ON HIS OWN A FOLLOW UP CONTACT WITH TWO PEOPLE AT THE STATE DEPARTMENT.)

Dear Matthew,

Thank you for taking time to talk about the immense problem facing Zaklad Metalurgiczny (ZM) and me personally. I appreciate your straight-forward response to our plight.

But I feel that I did not adequately explain one salient point and it is an important point in that you referred to it as a reason for the Department of State not to get involved. The court decision that ZM and Solidarnosc have requested be reviewed by the Polish Ministry of Justice is a closed case and not ongoing litigation. I am requesting that the US Government encourage consideration of our review request of this closed case.

Specifically, the judicial review that we have officially requested in Poland (as revised at the suggestion of the review committee itself) is a review of the 2011 appeal court decision on the re-run of the initial case filed by GEM in 2007. In 2010, the Supreme Court did not make a ruling on the merits. It merely annulled the two lower court 2008 and 2009 judgements that were in our favor and sent the case back to the lower courts. In 2011, the lower courts re-ran the case and ruled in favor of GEM, effectively cancelling the shares that I subscribed to in 2007 to fund the purchase of ZM from Pratt & Whitney.

There is indeed ongoing litigation, but it is not about my shares that were cancelled in 2011. The ongoing litigation pertains to the transfer of ZM shares from ZAMCO to United Foundries Holding (a Luxembourg holding company) at the request of INOVA Capital who agreed to invest in ZM.

Today I had the opportunity to clarify this point at the Department of Commerce and they are looking into the review process.

I hope this clarification makes a difference in your appraisal of my case going forward. I will certainly keep you and Patrick informed and would appreciate any assistance you can provide.

Sincerely yours,

Hugh Aiken

**Official
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